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OCEANS AND THE LAW OF THE SEA

SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Letter dated 11 November 1997 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to the enclosed document which reflects the position of the Islamic Republic of Iran concerning the exploitation of the resources of the Caspian Sea (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under agenda items 39, 97 and 98.

(Signed) Majid TAKHT-RAVANCHI
Ambassador
Chargé d'affaires a.i.

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ANNEX

Declaration expressing the position of the Islamic Republic of Iran on the exploitation of the resources of the Caspian Sea

As has been officially announced by the Government of the Republic of Azerbaijan, extraction and exploitation of oil from the Cheragh reservoir of the Caspian Sea is due to be commenced in a ceremony on 12 November 1997.

Whereas the mineral resources in the seabed and the subsoil of the Caspian Sea, surrounded by Azerbaijan, the Islamic Republic of Iran, Kazakhstan, the Russian Federation and Turkmenistan, belong to its coastal States,

Considering the special and unique character of the Caspian Sea, the Ministers for Foreign Affairs of the five coastal States of the Caspian Sea agreed in their meeting on 12 November 1996 in Ashgabat, that the complementation of the legal regime of the Caspian Sea, following the dismemberment of the USSR, can only occur through the unanimous decision of the five coastal States,

Considering further that the unilateral claim and exploitation of the resources of the Caspian Sea violate its existing legal regime, as defined in the Treaty of Amity concluded between Iran and Russia on 16 February 1921, and the Iran-USSR Commerce and Navigation Agreement of 25 March 1940 and the letters annexed thereto as well as the Ashgabat Declaration,

Therefore, the Islamic Republic of Iran strongly objects to the unilateral measures adopted by the Republic of Azerbaijan and emphasizes that any action taken in this respect contravenes the above-cited agreements, which are binding on the Republic of Azerbaijan, as a successor of the USSR, in accordance with the customary norms of international law and the Alma Ata Declaration of 21 December 1991. Such measures and actions adopted, without the consent of the coastal States, bear no legal value and, as such, do not establish a basis for any right or claim. Moreover, the full responsibility for consequences of such illegal measures and actions, including damages caused to other coastal States, rests with the States violating the legal regime of the Caspian Sea. The Islamic Republic of Iran reserves its right to take appropriate action in future to secure its legitimate rights in the Caspian Sea.